

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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NODIFY, INC.,

Plaintiff,

- against -

FRANK KRISTAN and UNITIV, INC.,

Defendants.

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ROSLYNN R. MAUSKOPF, Chief United States District Judge.

**ORDER ADOPTING  
REPORT AND  
RECOMMENDATION**  
17-CV-2201 (RRM) (LB)

In a *sua sponte* report and recommendation dated April 17, 2020, (the “R&R”), Magistrate Judge Lois Bloom recommended that this case be dismissed for plaintiff’s failure to prosecute, pursuant to Federal Rule of Civil Procedure 41(b). (Doc. No. 81.) Magistrate Judge Bloom advised the parties that they had 14 days from the date of that R&R in which to file objections. (*Id.*) The R&R was served by ECF on defendants and was also mailed to plaintiff on April 20, 2020. To date, neither party has filed objections to the R&R.

Pursuant to 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72, the Court has reviewed the R&R for clear error and, finding none, adopts the R&R in its entirety. *See Covey v. Simonton*, 481 F. Supp. 2d 224, 226 (E.D.N.Y. 2007). Accordingly, it is

ORDERED that the R&R is adopted in its entirety and the Clerk of Court is respectfully directed to enter judgment in favor of defendants, mail a copy of the judgment and this Order to plaintiff, to note that mailing on the docket, and to close this case.

SO ORDERED.

Dated: Brooklyn, New York  
May 6, 2020

*Roslynn R. Mauskopf*

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ROSLYNN R. MAUSKOPF  
Chief United States District Judge